

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>JOSHUA SHUMAN</b> , a minor by and through his mother and natural guardian	:	
<b>TERESA SHERTZER, and TERESA SHERTZER</b> , individually	:	<b>CIVIL ACTION NO. 02-CV-3594</b>
<b>Plaintiffs,</b>		
<b>v.</b>	:	<b>(GARDNER)</b>
<b>PENN MANOR SCHOOL DISTRICT,</b>	:	
<b>PENN MANOR SCHOOL BOARD,</b>	:	
<b>C. WILLIS HERR,</b>	:	
<b>RICHARD L. FRERICHS,</b>	:	
<b>JEFFERY E. LYON,</b>	:	
<b>PATRICK T. KLINE,</b>	:	
<b>DONALD H. ANDERSON,</b>	:	
<b>H. THOMAS HERR,</b>	:	
<b>KELLY K. WITHUM,</b>	:	
<b>DONNA WERT,</b>	:	
<b>JEFFREY G. KREIDER,</b>	:	
<b>DOLORES WARFEL, and</b>	:	
<b>STEVE SKROCKI</b> , each individually and as members/officers of the Penn Manor School Board,	:	
<b>AND</b>	:	
<b>GARY B. CAMPBELL</b> , individually and as Superintendent of the Penn Manor School District,	:	
<b>AND</b>	:	
<b>DONALD STEWART</b> , individually and as Acting Superintendent of the Penn Manor School District	:	
<b>AND</b>	:	
<b>JANICE M. MINDISH</b> , individually and as Principal of Penn Manor High School,	:	
<b>AND</b>	:	
<b>BRIAN D. BADICK</b> , individually and as Assistant Principal of Penn Manor High School,	:	
<b>AND</b>	:	
<b>PHILIP B. GALE</b> , individually and as Dean of Students of Penn Manor High School,	:	
<b>AND</b>	:	
<b>CAROLE FAY</b> , individually and as a teacher and Agriculture Coordinator at Penn Manor High School	:	
<b>Defendants.</b>		

**CERTIFICATE OF NONCONCURRENCE**

The undersigned counsel hereby certifies that counsel for the plaintiffs was contacted to seek concurrence with the Defendant's Motion for Mental Examination. Counsel has not indicated concurrence with that motion.

SWEET, STEVENS, TUCKER & KATZ LLP

Date: September 5, 2003

By: \_\_\_\_\_ /s/ Jason R. Wiley  
Ellis H. Katz, Esquire, Atty I.D. # 34835  
Jason R. Wiley, Esquire, Atty I.D. #79874  
331 Butler Avenue, P. O. Box 5069  
New Britain, Pennsylvania 18901

Attorneys for Defendants